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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 TYRONE DOCK,

10 *Petitioner,*

11 vs.
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13 ROBERT LEGRAND, *et al.*

14 *Respondents.*
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3:11-cv-00103-HDM-RAM

ORDER

16 Petitioner has not responded to the order (#5) directing that he show cause why the
17 petition should not be dismissed with prejudice as untimely. Petitioner has not done so or
18 otherwise responded. On the face of the record, the petition is time-barred. #5, at 2. The
19 order informed petitioner that the entire petition would be dismissed with prejudice without
20 further advance notice if he did not timely respond and, further, that counsel would not be
21 appointed prior to a *pro se* response to the show cause order. #5, at 3 & 4.

22 IT THEREFORE IS ORDERED that the petition shall be DISMISSED with prejudice
23 as untimely.

24 IT FURTHER IS ORDERED that petitioner's motion (#7) for appointment of counsel
25 is DENIED.

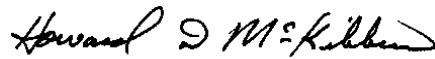
26 IT FURTHER IS ORDERED that a certificate of appealability is DENIED.

27 IT FURTHER IS ORDERED, pursuant to Rule 4 of the Rules Governing Section 2254
28 Cases, that the Clerk of Court shall informally electronically serve a copy of this order -- along

1 with a copy of the show cause order (#5) and the petition (#6) -- in a manner consistent with
2 the Clerk's current practice, upon respondents by adding Nevada Attorney General Catherine
3 Cortez Masto as counsel for respondents and generating a notice of electronic filing to her
4 office. **No response is required from respondents.**

5 The Clerk of Court shall enter final judgment accordingly against petitioner and in favor
6 of respondents, dismissing this action with prejudice.

7 DATED: August 22, 2011.

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11 HOWARD D. MCKIBBEN
12 United States District Judge
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